



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/481,840	01/12/2000	Michael Robert Hanson	04860.P1712C	6190

7590 05/21/2003

Blakely Sokoloff Taylor & Zafman
12400 Wilshire Blvd
Seventh Floor
Los Angeles, CA 90025

EXAMINER

FEILD, JOSEPH H

ART UNIT	PAPER NUMBER
2176	16

DATE MAILED: 05/21/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/481,840	HANSON ET AL.	
	Examiner	Art Unit	
	JOSEPH H FEILD	2176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 30 April 2003.

2a) This action is FINAL. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 14, 16-25, 28, 30-35, 38 and 39 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.

6) Claim(s) 14, 16-25, 28, 30-35, 38 and 39 is/are rejected.

7) Claim(s) _____ is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) The proposed drawing correction filed on _____ is: a) approved b) disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12) The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some * c) None of:

1. Certified copies of the priority documents have been received.

2. Certified copies of the priority documents have been received in Application No. _____.

3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) The translation of the foreign language provisional application has been received.

15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.

4) Interview Summary (PTO-413) Paper No(s). _____.

5) Notice of Informal Patent Application (PTO-152)

6) Other: _____.

DETAILED ACTION

1. This office action is responsive to the Request for Continued Examination and Amendment E filed 4/30/03.

Continued Examination Under 37 CFR 1.114

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 4/30/03 has been entered.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was

not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

4. Claims 14, 16-25, 28, 30-35, and 38-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jordan et al (5,745,113) in view of Adobe PageMill version 2.0.

With respect to independent claims 14, 20, and 31, and dependent claims 17-18, 21-22, 25, 28, 30, 32, 35, and 38-39, Jordan discloses a user interface which allows a user to edit, manipulate, and define objects to create new ones. Refer to Jordan's abstract, figures 2 and 3, and column 6 (line 15) through column 8 (line 7). Jordan discloses a map editor, which allows a user to create a map. Specifically, at column 6 (lines 30 et seq—with reference to figure 2), Jordan discloses, *To add to a map, a user will select an object type from a palette of objects 30 and place it in the map drawing pane 32, creating an instance of the object type. There the object can be positioned, resized, duplicated, grouped with other objects to form larger objects, aligned with another object[ed], deleted, and so on.* At column 6 (lines 40 et seq), Jordan further discloses, *The map editor has a number of predefined types of objects that might be found in typical office settings . . . The objects appear in palettes, a limited number of which may be selected by the user to appear on the map editor window. A user may create new objects and palettes at any time.* At column 7 (lines 19 et seq—with reference to figure 3), Jordan discloses, *an object editor, invocable as a menu item, allows a user to create new types of display objects (user-defined map object types) or modify existing ones. Through dialog boxes, the user selects an existing or new object,*

edits how it is displayed on a map, edits the icon used for it on palette buttons, specifies the types of record in the database that objects of the type can point to, renames it, or removes it.

Thus, Jordan teaches a “palette window” at figure 2 (left side) and figure 3 (left side), which comprises a “list” that includes “predefined objects” (top left) and “user-defined objects”—*A user may create new objects and palettes at any time* (column 7). Jordan discloses a “view window” at the right side of both of figures 2 and 3. An “input device” (mouse or keyboard—see figure 1) is used to select and manipulate objects. Jordan also discloses a *PALETTE SET POP-UP* in figure 2, which includes an arrow that evidently provides more selections than the illustrated *Basic Set*. It is noted that the claims do not require that the first and second lists be displayed simultaneously.

With further regard to dependent claims 16, 23-24, and 33-34, Jordan illustrates “predefined objects” at the top left side of each of figures 2 and 3.

With regard to dependent claim 19, refer to Jordan’s figure 5, in which a “list of properties” is illustrated in an “object editor window”.

It is noted that Jordan fails to teach “HTML objects”. However, Adobe discloses a web page development application that includes the use of “HTML objects”. For example, refer to Adobe’s page 36 (2nd paragraph): *Adobe PageMill lets you create pages without typing any codes—unlike many other applications for designing Web pages that require you to learn the HTML codes (called tags) that format the text, graphics, and objects on a page.* At page 71, Adobe illustrates a palette window (**Finder Window** and **Pasteboard**); at page 77, Adobe illustrates finding and replacing

objects, including *objects such as links or form buttons or controls, text, and so on.* Other examples of "HTML objects" available for the user to include in created web pages abound throughout the Adobe manual. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Adobe with Jordan because adding hyperlink functionality to Jordan's invention would enhance the flexibility of the invention by allowing users to derive user-defined objects from the internet while creating or editing the user interface. Furthermore, it was well known to implement user interfaces such as Jordan's with HTML capability because of the known advantages, including navigational capabilities, of HTML applications.

Response to Arguments

5. Applicant's arguments filed 12/26/03 have been considered but are moot in view of the new grounds of rejection. It is the examiner's opinion that Adobe's teaching of "HTML objects", combined with Jordan's invention, render the instant invention obvious as is argued above under 35 USC §103(a). Again, the examiner notes that the claims do not require that the first and second lists be displayed simultaneously.

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to JOSEPH H FEILD whose telephone number is (703) 305-9792. The examiner can normally be reached on Monday-Friday from 8:30 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, HEATHER HERNDON, can be reached on (703) 308-5186. The fax phone numbers for the organization where this application or proceeding is assigned are:

(703) 746-72398 **(After Final Communication)**

(703) 746-7239 (Official Communication)

(703) 746-7240 (Status Inquiries, Draft Communication).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)305-3900.


Joseph H. Feild
Primary Examiner
Art Unit 2176
May 19, 2003